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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/821,212
Filed : April 8, 2004
Applicant : Thomas P. Keller
Title : LINERLESS WEB UTILIZING APPARATUS AND METHODS
Group Art Unit : 2854
Confirmation No: 9412
Examiner : Dave A. Ghatt
Docket : M-648

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APPELLANTS' APPEAL BRIEF

This is an appeal from the Final Office Action dated December 29, 2005.

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REAL PARTY IN INTEREST

The real party in interest is the assignee, Paxar Americas, Inc., formerly known as Monarch Marking Systems, Inc.

RELATED APPEAL AND INTERFERENCE

There is no related appeal or interference.

STATUS OF CLAIMS

Claims 1 through 4, 6 through 13, 15 through 17, and 26 through 28 are under rejection.

Claims 18, 19 through 23, 25 and 31 have been allowed and claims 5, 14 and 24 have been indicated to be allowable if rewritten into independent form.

Claims 29 and 30 have been cancelled.

STATUS OF AMENDMENTS

All amendments are entered as advised orally by the Examiner.

SUMMARY OF THE CLAIMED SUBJECT MATTER

The claims relate to method and apparatus to strip a tacky adhesive-backed web from a roll reliably and, in particular, to such method and apparatus in a printer (Spec. page 1, last two lines to page 2, line 3). The printer includes an adhesive-resistant, elastomeric, rotatable roll 17 which may take the form of a platen roll which cooperates with a print head 16 of a printer 13 (page 3, line 24).

A web 10 passes between the print head 16 and the roll 17. The underside of the web 10 has a coating of adhesive 14 which is of the tacky or pressure sensitive type. Tacky adhesive is sticky or tacky without activation by heat, water or other medium (page 4, lines 9 through 18).

The roll 17 is composed of an elastomeric material such as silicone rubber and/or outer surface 17' of the roll 17 can be coated to be adhesive resistance (page 4, lines 1 through 8).

Because rolls that are to be in contact with adhesive on one side of a linerless web are typically adhesive resistant, when such rolls become worn the adhesive on the linerless web adheres more tenaciously to the worn roll and the linerless web has a tendency to follow the roll around. The web may bunch up or buckle between the platen roll and a stripper, even though the stripper is immediately adjacent to or touches the platen roll. When the linerless web adheres to the platen roll, there is also a tendency of the buckled linerless web to push against the stripper or to bow stripper to make an easier throat between the platen roll and the stripper through which the linerless web can pass (page 4, line 19 through page 5, line 2).

A support or stripper 18 (page 5, line 3 and page 7 line 12) has tip portions 20 with preferably both sharp and pointed points 21 (page 5, lines 2 through 6).

Tip portions 20 are used to cut circumferential grooves 22 in the outer surface or periphery 17' of the platen roll 17, and thus the tip portions are cutters that cut the grooves. The tip portions are those portions of the elements that extend into the grooves 22. During use, the tip portions 20 act as strippers that help strip the web from the platen roll 17 (page 5, lines 6 through 17).

Initially, the support or stripper 18 is positioned so that the points 21 depress and dig into the outer surface 17' of the roll 17 (FIG. 2). Upon rotation of the roll 17, the tip portions or cutters 20 cut the grooves 22 as best shown in FIGS. 1 and 3. Because the tip portions 20 remain below the outer surface 17' in the grooves 22, the linerless web 10 cannot go between the roll 17 and the elements 19. Yet the grooves 22 are small enough so that the grooves do not degrade the print quality (page 5, line 17 to page 6, line 1).

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

REJECTION I

Claims 1 through 4, 8 through 13, and 15 through 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gomi (JP1258970A) in view of Kusters (US 3,894,453).

REJECTION II

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatenable over (1) Gomi in view of (2) Kusters and (3) Huggins et al. (US 6,347,897).

REJECTION III

Claims 26 through 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Strekfus (US 3,985,049).

ARGUMENT

Rejection I, Claim 1

Claim 1 defines method comprising providing an adhesive-resistant, elastomeric, rotatable platen roll for a printer, providing a web stripper having at least one tip portion positioned to cut at least one circumferential groove in the outer surface of the platen roll, and rotating the platen roll to cut the groove(s). The primary reference relied upon in the rejection of claim 1 and all of the other claims under Rejections I and II does not teach or suggest the claimed invention. The Gomi reference states that a plurality of narrow grooves 20 are on the surface of a platen roller 14 so that a bail roller 16 is readily adjustably pressed on a platen roller 14. Please see Attachments A and B of record. A pressure roller 15 and the bail roller 16 are separated from the platen roller 14 when paper 11 is continuously printed. If the pressure roller 15 and the bail roller are not separated from the platen roller 16, the paper 11 would be run off from a tractor 12 or the paper would be saved between the tractor roller 12 and the platen roller 14 in accordance with a difference between of transfer velocity thereof. The object of Gomi is to provide a printer in which a platen roller 14 can stably transfer paper even if a bail roller is not separated from the platen roller 14. The Gomi patent does not meet any part of claim 1. There is no teaching that the printer of Gomi of "providing an adhesive resistant, elastomeric, rotatable platen roll". There is no teaching in Gomi of "providing a web stripper having at least one tip positioned to cut at least one circumferential groove in the outer surface of the platen roll". There is no teaching in Gomi "of rotating the platen roll to cut the groove(s)". While it is true that Gomi teaches a grooved platen roll, the claimed method is clearly not taught. The Kuster patent relates to a method for cutting grooves in a roller such as those used for removing excess water in which a plurality of cutting tools are supported on a rod to

grooves in a metal roller. Kusters has nothing whatsoever to with printing and is clearly non-analogous art. First of all there is no teaching in Gomi to use a "web stripper" to cut grooves. There is certainly no suggestion to rotate a platen roll and cut grooves with a web stripper and certainly one of ordinary skill in the printing area would not go to the metal working art without a suggestion to do so.

Rejection I, Claim 2

Claim 2 is submitted to be allowable for the same reasons as parent claim 1. In addition, there is no teaching in Gomi of cutting the grooves using a web stripper while the web is between the print head and platen roll.

Rejection I, Claim 3

Claim 3 is submitted to be allowable for the same reasons as parent claim 1, and in addition, Gomi has no disclosure of any web stripper with a sharp tip.

Rejection I, Claim 4

Claim 4 is submitted to be allowable for the same reasons as parent claim 1, and in addition, Gomi has no teaching of any web striper with a pointed tip portion.

Rejection I, Claim 8

Claim 8 is submitted to be allowable for the same reasons as parent claim 1, and in addition, there is no teaching in Gomi that the groove(s) is (are) small enough so as not to degrade print quality when printing on a linerless web having tacky adhesive in contact with the platen roll.

Rejection I, Claim 9

Claim 9 defines method comprising providing an adhesive-resistant, elastomeric, rotatable platen roll for a printer, providing a web stripper having at least one tip portion, and positioning the stripper with the tip portion (s) digging into or locally depressing the outer surface of the platen roll so that upon rotation of the platen roll each tip portion will cut a circumferential groove in the outer surface of the platen roll. Claim 9 is submitted to define a method not even remotely suggested by Gomi or Kusters for reasons stated with respect to claim 1. Clearly, Gomi does not teach providing an adhesive-resistant, elastomeric, rotatable platen for a printer, or providing a web stripper having at least one tip portion, or positioning the stripper with the tip portion(s) digging into or locally depressing the outer surface of the platen roll so that upon rotation of the platen roll each tip portion will cut a circumferential groove in the outer surface of the platen roll.

Rejection I, Claim 10

Claim 10 is submitted to be allowable for the same reasons as claim 9. In that there is no teaching in Gomi that a tip portion is even used to form the grooves, there can be no teaching of a groove no wider than a respective tip portion.

Rejection I, Claim 11

Claim 11, is submitted to be allowable for the same reasons as parent claim 9. There is no disclosure in Gomi that all the grooves are essentially the same size.

Rejection I, Claim 12

Claim 12 is submitted to be allowable for the same reasons as claim 9. There is no teaching in Gomi that the grooves are small enough so as not degrade print quality when printing on a linerless web having tacky adhesive in contact with the platen roll.

Rejection I, Claim 13

Claim 13 defines method comprising providing an adhesive-resistant, elastomeric roll for contacting adhesive on a linerless web, providing a web stripper having at least one tip portion positioned to cut at least one circumferential groove in the outer surface of the roll, and rotating the roll to cut the groove(s). Claim 13 is submitted to be allowable for some of the same reasons as cited with respect to claim 1. Claim 13, however, does not state that the roll is a platen roll. However, an adhesive resistant, elastomeric roll for contacting adhesive on a linerless web and as such the problem solved by Appellant is not even suggested by Gomi, much less solved.

Rejection I, Claim 15

Claim 15 is submitted to be allowable for the same reasons as claim 13. In Gomi there is no suggestion of any web stripper remaining in the groove(s) during subsequent rotation of the roll.

Rejection I, Claim 16

Claim 16 is submitted to be allowable for the same reasons as claim 13. There is no teaching in Gomi that the grooves are small enough so as not to degrade print quality when printing on a linerless web in contact with the roll.

Rejection I, Claim 17

Claim 17 defines method of providing an adhesive-resistant, elastomeric roll for contacting adhesive on a linerless web, providing a web stripper having at least one tip portion, positioning the stripper with the tip portion(s) digging into or locally depressing the outer surface of the roll so that upon rotation of the roll each tip portion will cut a circumferential groove in the outer surface of the roll. Claim 17 is submitted to be allowable for the same reasons as claim 9. Claim 17 differs from claim 9 in that the roll is not defined (in claim 17) as being a platen roll.

Rejection II, Claim 6

Claim 6 is submitted to be allowable for the same reasons as parent claim 1. It is not denied that co-owned Huggins patent teaches a thermal printer for a web with a tacky adhesive that contacts a roll. Prior art showing thermal printing with an adhesive-resistant elastomeric roll was cited by Applicant on the day the application was filed, and in this connection, please refer to page 1 of the specification of the present application under "Brief Description of the Prior Art". Huggins adds no teaching which would render claim 6 obvious of the two other cited references.

Rejection II, Claim 7

Claim 7 is submitted to be allowable for the same reasons as claims 1 and 6. Primary reference Gomi has noting to do with problems associated with printing on linerless webs. Moreover, there is no motivation to modify Gomi as suggested by the Examiner.

Rejection III, Claim 26

Claim 26 defines in combination, a roll having an adhesive-resistant, elastomeric outer surface for contacting a tacky adhesive on a linerless web, and a stripper with a tip portion positioned to cut at least one circumferential groove in the outer surface of the roll and to facilitate stripping the web from the roll. Streckful relates to a polishing roll. One of ordinary skill in the printing art would have no motivation to visit the polishing art to see how to make polishing roll as is Streckfus. Moreover, the combination defined in claim 26 is not met because Streckfus does not teach "a roll having an adhesive-resistant outer surface for contacting tacky adhesive on a linerless web", nor "a web stripper having a least one tip portion extending onto one of the grooves to facilitate stripping the web from the roll".

Rejection III, Claim 27

Claim 27 defines a roll having an adhesive-resistant, elastomeric outer surface for contacting tacky adhesive on a linerless web, at least one circumferential groove in the outer surface of the roll, and a web stripper having at least one tip portion extending into one of the grooves to facilitate stripping the web from the roll. Claim 27 is submitted to be allowable for generally the same reasons as claim 26.

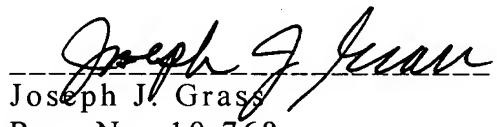
Rejection III, Claim 28

Claim 28 defines a roll having an adhesive-resistant, elastomeric outer surface for contacting tacky adhesive on a linerless web, and a stripper having at least one tip portion locally dug or pressed into the outer surface of the roll so that upon rotation of the roll the tip portion(s) will cut a groove or grooves into the roll to facilitate stripping of the web from the roll. Claim 28 is submitted to be allowable for generally the same reasons as claim 26.

CONCLUSION

The Gomi and Streckfus references have nothing to do with the claimed invention. They having nothing to do, in particular, with problems related to stripping adhesive-backed webs from rolls that, when known, have a tendency to cause feeding problems. The claimed invention offers a solution to these problems which the references relied upon do not even remotely suggest. This is clearly a matter of the impermissible use of hindsight to meet an invention disclosed only in the subject application. The applied references do not recognize the problem, much less provide a solution. Accordingly, all of the claims should be found allowable to Appellant.

Respectfully submitted,



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CLAIMS APPENDIX

1. Method, comprising: providing an adhesive-resistant, elastomeric, rotatable platen roll for a printer, providing a web stripper having at least one tip portion positioned to cut at least one circumferential groove in the outer surface of the platen roll, and rotating the platen roll to cut the groove(s).

2. Method as defined in claim 1, including providing a thermal print head cooperable with the platen roll, providing a web positioned between and in contact with the print head and the platen roll, and the web moves in contact with the rotating platen roll.

3. Method as defined in claim 1, wherein the tip portion is sharp.

4. Method as defined in claim 1, wherein the tip portion is pointed.

6. Method as defined in claim 1, including providing a thermal print head cooperable with the platen roll, and printing on a web positioned between and in contact with the print head and the platen roll after the groove(s) has (or have) been cut, and wherein the web has a coating of tacky adhesive contacting the platen roll.

7. Method as defined in claim 1, including providing a linerless web having a printable face side and an underside with a tacky adhesive positioned with the print head cooperable with the printable face side and the platen roll in contact with the adhesive, and printing on the web after the groove(s) has (have) been cut.

8. Method defined in claim 1, wherein the groove(s) is (are) small enough so as not to degrade print quality when printing on a linerless web having tacky adhesive in contact with the platen roll.

9. Method, comprising: providing an adhesive-resistant, elastomeric, rotatable platen roll for a printer, providing a web stripper having at least one tip portion, and positioning the stripper with the tip portion (s) digging into or locally depressing the outer surface of the platen roll so that upon rotation of the platen roll each tip portion will cut a circumferential groove in the outer surface of the platen roll.

10. Method as defined in claim 9, wherein each groove is no wider than the respective tip portion.

11. Method as defined in claim 9, wherein there are a plurality of grooves and the grooves are essentially the same size.

12. Method defined in claim 9, wherein the groove(s) is (are) small enough so as not to degrade print quality when printing on a linerless web having tacky adhesive in contact with the platen roll.

13. Method, comprising: providing an adhesive-resistant, elastomeric roll for contacting adhesive on a linerless web, providing a web stripper having at least one tip portion positioned to cut at least one circumferential groove in the outer surface of the roll, and rotating the roll to cut the groove(s).

15. Method as defined in claim 13, wherein the tip portion(s) remain in the groove(s) during subsequent rotation of the roll.

16. Method defined in claim 13, wherein the groove(s) is (are) small enough so as not to degrade print quality when printing on a linerless web having tacky adhesive in contact with the roll.

17. Method, comprising: providing an adhesive-resistant, elastomeric roll for contacting adhesive on a linerless web, providing a web stripper having at least one tip portion, positioning the stripper with the tip portion(s) digging into or locally depressing the outer surface of the roll so that upon rotation of the roll each tip portion will cut a circumferential groove in the outer surface of the roll.

26. In combination: a roll having an adhesive-resistant, elastomeric outer surface for contacting a tacky adhesive on a linerless web, and a stripper with a tip portion positioned to cut at least one circumferential groove in the outer surface of the roll and to facilitate stripping the web from the roll.

27. In combination: a roll having an adhesive-resistant, elastomeric outer surface for contacting tacky adhesive on a linerless web, at least one circumferential groove in the outer surface of the roll, and a web stripper having at least one tip portion extending into one of the grooves to facilitate stripping the web from the roll.

28. In combination: a roll having an adhesive-resistant, elastomeric outer surface for contacting tacky adhesive on a linerless web, and a stripper having at least one tip portion locally dug or pressed into the outer surface of the roll so that upon rotation of the roll the tip portion(s) will cut a groove or grooves into the roll to facilitate stripping of the web from the roll.

EVIDENCE APPENDIX

None

RELATED PROCEEDINGS APPENDIX

None

PTO/SB/91 (09-04)
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Filed April 8, 2004

Inventors: Thomas P. Keller

Title: LINERLESS WEB UTILIZING APPARATUS AND METHODS

Examiner: Dave A. Ghatt Group Art Unit: 2854

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